

Inasmuch as no objection is pending at this time, the stay is lifted.

MAY 12 2008

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

RECEIVED

MAY 15 2008

APR 24 2008

AT 8:30 _____ M
WILLIAM T. WALSH, CLERK

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: VYTORIN/ZETIA MARKETING, SALES PRACTICES
AND PRODUCTS LIABILITY LITIGATION

MDL No. 1938

HEREBY CERTIFY that the above attestation is a true and correct copy of the original on file in my office.

(SEE ATTACHED SCHEDULE)

ATTEST:
WILLIAM T. WALSH, Clerk
United States District Court
District of New Jersey

CONDITIONAL TRANSFER ORDER (CTO-1)

By **JOHN ICKLAN**

On April 8, 2008, the Panel transferred 21 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See ___ F.Supp.2d ___ (J.P.M.L. 2008). With the consent of that court, all such actions have been assigned to the Honorable Dennis M. Cavanaugh.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Cavanaugh.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of April 8, 2008, and, with the consent of that court, assigned to the Honorable Dennis M. Cavanaugh.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Jeffery M. Luthi
Clerk of the Panel

A CERTIFIED TRUE COPY

MAY 12 2008

ATTEST: 
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**IN RE: VYTORIN/ZETIA MARKETING, SALES PRACTICES
AND PRODUCTS LIABILITY LITIGATION**

MDL No. 1938

SCHEDULE CTO-1 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

ALABAMA MIDDLE

ALM 2 08-129

John D. Swindall v. Merck & Co., Inc., et al.

ALABAMA NORTHERN

ALN 1 08-279

Thomas L. Sizemore v. Merck & Co., Inc., et al.

ALN 2 08-134

Constantine Kanakis, et al. v. Merck & Co., Inc., et al.

ARKANSAS EASTERN

ARE 4 08-86

John H. Stanley, Jr. v. Merck & Co., Inc., et al.

ARE 5 08-42

Juanita Sloan v. Merck & Co., Inc., et al.

ARIZONA

~~AZ 2 08-360~~

~~Robert S. Leyin v. Merck/Schering-Plough Pharmaceuticals, et al.
Opposed 5/9/08~~

CALIFORNIA CENTRAL

CAC 2 08-1038

Glenda Morgan v. Merck & Co., Inc., et al.

CAC 2 08-1499

Ronald Dossey v. Merck & Co., Inc., et al.

CALIFORNIA EASTERN

CAE 2 08-355

Carolyn Boyle v. Merck & Co., Inc., et al.

CALIFORNIA NORTHERN

CAN 4 08-929

Mircea Muresan v. Merck & Co., Inc., et al.

DELAWARE

DE 1 08-176

Elaine Hawk v. Merck & Co., Inc., et al.

FLORIDA MIDDLE

FLM 6 08-153

Alma Hooks, et al. v. Merck & Co., Inc., et al.

FLM 6 08-178

Stephen Greenwell v. Merck & Co., Inc., et al.

FLORIDA NORTHERN

FLN 5 08-58

Jean T. Smith v. Merck & Co., Inc., et al.

FLORIDA SOUTHERN

FLS 1 08-20317

Moises Selesky v. Merck & Co., Inc., et al.

GEORGIA NORTHERN

GAN 1 08-309

Dewey Eugene Keith, et al. v. Merck & Co., Inc., et al.

GAN 1 08-417

Gregory Flynn v. Merck & Co., Inc., et al.

MDL No. 1938 - Schedule CTO-1 Tag-Along Actions (Continued)**DIST. DIV. C.A. #****CASE CAPTION****IOWA NORTHERN**

IAN 2 08-1007

Donald Pierce, et al. v. Merck & Co., Inc., et al.

IOWA SOUTHERN

IAS 1 08-13

James A. Pratt v. Merck & Co., Inc., et al.

IAS 4 08-81

Donna Greenley v. Merck & Co., Inc., et al.

ILLINOIS SOUTHERN

ILS 3 08-67

Christina Robin Wallace, et al. v. Merck & Co., Inc., et al.

ILS 3 08-163

Mary Trebilcock v. Merck & Co., Inc., et al.

ILS 3 08-191

Jerry Kee, et al. v. Merck & Co., Inc., et al.

INDIANA SOUTHERN

INS 1 08-210

June Wilkins v. Merck & Co., Inc., et al.

INS 1 08-335

Rick Lane v. Merck & Co., Inc., et al.

INS 1 08-470

Edna Appel v. Merck & Co., Inc., et al.

KANSAS

KS 2 08-2163

Lois Roberta Bowers v. Merck & Co., Inc., et al.

LOUISIANA EASTERN

LAE 2 08-784

Kelly Fontana, et al. v. Merck & Co., Inc., et al.

LAE 2 08-1235

Louisiana Health Service & Indemnity Co., etc. v. Merck & Co., Inc., et al.

MASSACHUSETTS

MA 1 08-10109

Edward Arasimowicz v. Merck & Co., Inc., et al.

MARYLAND

MD 1 08-860

Mitchell Peiser v. Merck & Co., Inc., et al.

MAINE

ME 2 08-58

Barry Zimmerman v. Merck & Co., Inc., et al.

MINNESOTA

MN 0 08-220

Daniel L. Tollefson, Sr. v. Merck & Co., Inc., et al.

MISSOURI EASTERN

MOE 4 08-123

Chong Badgley v. Merck & Co., Inc., et al.

MOE 4 08-295

William G. Krejci v. Merck & Co., Inc., et al.

MOE 4 08-308

Robert L. Scheu v. Merck & Co., Inc., et al.

MOE 4 08-315

Timothy J. Leyes, Sr. v. Merck & Co., Inc., et al.

MDL No. 1938 - Schedule CTO-1 Tag-Along Actions (Continued)**DIST. DIV. C.A. #****CASE CAPTION****MISSOURI WESTERN**

MOW 2 08-4021

Steve Dillon, et al. v. Merck & Co., Inc., et al.

MOW 4 08-145

Marie Maley v. Merck & Co., Inc., et al.

MOW 4 08-153

Beverly Walden v. Merck & Co., Inc., et al.

MOW 4 08-172

Anthony Neland v. Merck & Co., Inc., et al.

MOW 4 08-187

Wei Chan v. Merck & Co., Inc., et al.

~~MOW 6 08-3119~~~~John Grant, et al. v. Merck/Schering-Plough Pharmaceuticals, et al.
Opposed 5/9/08~~**MISSISSIPPI SOUTHERN**

MSS 2 08-74

Iley Joe Payne v. Merck & Co., Inc., et al.

MSS 5 08-10

Roy Davis v. Merck & Co., Inc., et al.

MONTANA

MT 6 08-18

Janet Lamping v. Merck & Co., Inc., et al.

NORTH CAROLINA WESTERN

NCW 3 08-66

Susan Bodnar v. Merck & Co., Inc., et al.

NEBRASKA

NE 8 08-147

Robert Stanley v. Merck & Co., Inc., et al.

NEW MEXICO

NM 6 08-89

Reverend John Carl Adams v. Merck & Co., Inc., et al.

NEVADA

NV 3 08-64

Bruce J. Bitter, et al. v. Merck & Co., Inc., et al.

NEW YORK EASTERN

NYE 2 08-344

Andrew Schwaeber v. Merck & Co., Inc., et al.

OKLAHOMA EASTERN

OKE 6 08-110

Sharon Loeffler v. Merck & Co., Inc., et al.

PUERTO RICO

PR 3 08-1206

James Cumba, et al. v. Merck & Co., Inc., et al.

SOUTH CAROLINA

SC 0 08-518

Gloria Brown v. Merck & Co., Inc., et al.

SC 3 08-318

Jeffrey D. Morgan, M.D. v. Merck & Co., Inc. et al.

TENNESSEE EASTERN

TNE 1 08-33

Evelyn Igou, et al. v. Merck & Co., Inc., et al.

MDL No. 1938 - Schedule CTO-1 Tag-Along Actions (Continued)**DIST. DIV. C.A. #****CASE CAPTION****TENNESSEE WESTERN**

TNW 1 08-1043

Gary Lackey v. Merck & Co., Inc., et al.

TEXAS EASTERN

TXE 9 08-19

Robert S. Love v. Merck & C., Inc., et al.

TEXAS SOUTHERN

TXS 2 08-34

Roberto DeLeon v. Schering-Plough Corp., et al.

TXS 3 08-84

James J. Janik v. Merck & Co., Inc., et al.

WEST VIRGINIA SOUTHERN

WVS 3 08-162

Virginia Miller, et al. v. Merck & Co., Inc., et al.

WVS 3 08-195

Debra Lynn Lewis, et al. v. Schering-Plough Pharmaceuticals, Inc.,
et al.